

HOUSE BILL 2111

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 48,  
Chapter 62, relative to real or personal property  
used for purposes of providing health care.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 48, Chapter 62, is hereby amended by  
adding the following as a new section:

48-62-103.

(a) Notwithstanding any law or private act to the contrary, a county or municipality owning all or any portion of real or personal property used for the purpose of providing health care, including but not limited to hospitals, clinics and physicians' offices, may sell, lease, encumber or otherwise dispose of such real or personal property, and may use the proceeds of any such sale, lease, encumbrance or other disposition for any purpose whatsoever, and such county or municipality shall not be required to give notice to the attorney general and reporter of any proposed sale, lease, encumbrance or other disposition of such property. Notwithstanding any law or private act to the contrary, the attorney general and reporter shall have no right or duty to object to any such proposed sale, lease, encumbrance or other disposition of such property, the use of such proceeds shall not be limited to health care or purposes related to health care, and such proceeds shall not be subject to any constructive trust requiring the use of such proceeds for any particular purpose. This section shall apply to all such sales, leases, encumbrances or other dispositions occurring at any time before, on or after the effective date of this section, and to all such proceeds received by such a county or municipality at any time before, on or after the effective date of this section.

(b) Subsection (a) shall apply to a municipality only if the legislative body of the municipality has resolved by majority vote that subsection (a) shall apply to the municipality. Subsection (a) shall apply to a county only if the legislative body of the county has resolved by majority vote that subsection (a) shall apply to the county.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.